THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.16046 of 2007

Dated: 30-07-2007

Between:

Palla Demudu and others.

..... PETITIONERS

AND

The Revenue Divisional Officer, Visakhapatnam, and another.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.16046 of 2007

ORDER:

The writ petition is filed by as many as eighteen persons, who were assigned various extents of land in survey Nos.16, 18 to 24 (various sub-division numbers) in Gandigudam Village, Anandapuram Mandal in 1967 for the purpose of grazing their sheep by the then Tahsildar, Bhimunipatnam. Through a news item, the respondents noticed that the land changed hands and was not in possession of the assignees. Action was initiated under the provisions of the Andhra Pradesh Assigned Lands (Prohibition of Transfers) Act, 1977 (the Act, for brevity) and a show-cause notice dated 26.08.2006 impugned in the writ petition was issued. The petitioners submitted explanations. Allegedly no orders are passed under Section 4 of the Act. The petitioners allege that on 23.07.2007, some persons claiming to be under the instructions of the Tahsildar came and started counting the trees in their land. Therefore, they filed instant writ petition assailing the show-cause notice dated 26.08.2006.

At the stage of admission itself, the learned Assistant Government Pleader for Revenue (Assignment) submits that after issuing the show-cause notice dated 26.08.2006, an order of resumption was passed on 10.10.2006 and the land was taken possession on 16.10.2006. He further submits that land was assigned to VUDA (Visakhapatnam Urban Development Authority) on 23.07.2007. He has also placed before this Court, a copy of the proceedings in Rc.No.168/2006 dated 10.10.2006 issued by second respondent ordering resumption of the land, which was made part of the record. A copy of the same is also handed over to the learned counsel for the petitioners. Now that a final order is passed resuming the land, the writ petition against show-cause notice cannot be detained.

The writ petition, with the above observations, is accordingly dismissed giving liberty to the petitioners to approach first respondent and file an appeal under Section 4-A of the Act. No costs.

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(**V.V.S.RAO, J**)

30th July, 2007

Note: Issue CC in by 06.08.2007.

B/o

ghn